



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

HD:hd

Docket No: 07370-98

31 May 2000

CG [REDACTED] SN

Dear Com [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552. You requested removal of the original fitness reports for 30 August 1995 to 20 September 1996 and 1 November 1996 to 25 April 1997, together with supplemental cover letters, and their replacement with supplemental reports for the same periods.

It is noted that the Navy Personnel Command (NPC) has filed in your record the supplemental fitness reports for the periods concerned, as well as the supplemental cover letters.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 May 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by NPC dated 16 February 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice warranting relief. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. The cover letters from the reporting seniors concerned did not persuade the Board that the contested original reports unfairly or inaccurately evaluated you. In view of the above, your application for relief beyond that effected by NPC has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new

and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



**DEPARTMENT OF THE NAVY**  
**NAVY PERSONNEL COMMAND**  
**5720 INTEGRITY DRIVE**  
**MILLINGTON TN 38055-0000**

7370-98  
1610  
NPC-311  
16 February 1999

**MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS**

Via: NPC/BCNR Coordinator (NPC-00XCB)

Subj: CE [REDACTED]

Ref: (a) BUPERSINST 1610.10 EVAL Manual

Encl: (1) BCNR File

1. Enclosure (1) is returned. The member requests the removal of his fitness report and evaluation report letter supplement for the period 30 August 1995 to 20 September 1996 and his fitness report and supplemental fitness report cover letter for the period 1 November 1996 to 25 April 1997 and replace the original fitness reports with supplemental reports for the same period.

2. Based on our review of the material provided, we find the following:

a. A review of the members headquarters' record revealed the reports in question to be on file with the supplemental cover letters. The supplemental fitness reports are not on file, but the member provided a copy with his petition.

b. The supplemental cover letters were filed in error and have been removed from the member's headquarters record. The member states this action is in support of his Commander Command Screening/Slating Board.

c. Basically, the petitioner has requested the replacements of his fitness reports to enhance his opportunities to screen for command. We do not support, nor does reference (a), Annex P, Paragraph p-4.c, allow a change to the record to improve an officer's opportunity for promotion or career enhancement.

d. The member's supplemental reports are currently being placed in the member's digitized record.

e. The member does not prove the report to be unjust or in error.

3. We recommend the member's record remain unchanged.

[REDACTED]

Head, Performance  
Evaluation Branch